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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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06/12/2009

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EXAMINER

LACLAIR, DARCY D

ART UNIT

PAPER NUMBER

1796

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DELIVERY MODE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Attachment to Advisory Action

1. Applicants' amendment filed **5/22/2009** has not been entered given that it raises new issues that would require further consideration and/or search.

With respect to new issues, claim 1 has been amended to recite that the needle crystal filler is at least one member selected from the group consisting of sepiolite and wollastonite, and removing the matter dealing with needle crystal type calcium carbonate. It is the examiner's position that this is a new issue since the limitations of the claim have changed, requiring a narrower group of species and cancelling the species discussed in the rejection previously set forth. Therefore, the amendment would require further consideration.

2. In the interest of better enabling the applicants to assess the patentability of their claims, the following advisory is set forth:

Had the amendment been entered, the prior art rejections over Nishimura et al (US 6,300,404), Katayama et al. (US 5,164,172) and Okamoto et al. (US 6,183,551) as set forth in the office action mailed 2/25/2009 would have been withdrawn, given that the combination does not disclose wollastonite or sepiolite. However, the claims would thereby not become automatically allowable new issues raised by applicant's proposed amendment would require further search and examination.

3. The information disclosure statement (IDS) submitted on 5/22/2008 was filed after the mailing date of the Final Office Action on 2/25/2009. The submission is in

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compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement has been considered by the examiner.

6/6/2009

/D. D. L./

Examiner, Art Unit 1796

/Vasu Jagannathan/

Supervisory Patent Examiner, Art Unit 1796